Programs Branch

User Report

WINNIPEG VICTIM/WITNESS ASSISTANCE PROGRAM: BACKGROUND REPORT

No. 1984-64

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This working paper was prepared under contract for the Research Division and is made available as submitted to the Ministry. The views expressed are those of the author and are not necessarily those of the Ministry of the Solicitor General of Canada.

This working paper is available in French. Ce document de travail est disponible en français.

PRESENTATION

This report presents background information to the "Winnipeg Victim/Witness Assistance Program: Planning Phase" Technical Report (TRS No. 2). This includes the victim questionnaire, the witness questionnaire, and the results of interviews with social and criminal justice related agencies that were undertaken in that project. The full report, which has been published by the Ministry of the Solicitor General of Canada (TRS No. 2), includes details of the methodology used for the study, analysis of the findings, and recommendations as to the development of a victim/witness assistance program.

VICTIM QUESTIONNAIRE

Type of Crime _____

As you know, the main purpose for conducting this survey is to find out whether more could have been done or should have been done by the community to help people who have gone through something like this.

First, I would like you to think back to the period immediately after the incident, say the first few days after.

1. Did the crime occur during the weekend or on a weekday.
    1. Weekend
    2. Weekday
    3. D.K.

2. Approximately what time of day or night did the crime occur.

    _____

3 Immediately after the crime was committed, who did you first contact.
    1. Police
    2. Relative
    3. Friend

4. Pastor/Priest

5. Hospital/Ambulance

6. Social Agency (specify) _____

7. Other (specify) _____

4. When did you first report the crime to the police.

1. Immediately

2. Within the first hour

3. Within several hours

4. Next day

5. 2 days to a week

6. Over a week

5.a) As a result of the crime, did you require medical aid.

Yes No N.A.

b) Who did you receive medical aid from.

1. Police

2. Hospital

3. Other

4. D.K.

c) Were you satisfied with the medical aid you received.

Yes No N.A.

6.a) As a result of the crime did you require emergency transportation.

Yes No N.A.

b) From whom did you receive transportation.

_____

c) Were you satisfied with the assistance you received in obtaining transportation.

Yes No N.A.

7.a) As a result of the crime did you require emergency repairs to secure home/car.

Yes No Inappropriate

b) From whom did you receive help in making repairs.

_____

c) Were you satisfied with the assistance you received.

Yes No N.A.

8.a) Did you require emergency financial aid.

Yes No N.A.

b) From whom did you receive financial aid.

_____

c) Were you satisfied with the financial aid you received.

Yes No N.A.

9.a) Did you require help or advice in contacting insurance companies, credit card companies, etc.

Yes No N.A.

b) From whom did you receive help in contacting these companies.

_____

c) Were you satisfied with the help you received.

Yes No N.A.

10.a) Did you want somebody to stay with you to provide security after the crime.

Yes No N.A.

b) Who were you able to find to provide security.

_____

c) Were you satisfied with the security provided by this person.

Yes No N.A.

11.a) Did you want someone to talk to after the police had left.

Yes No N.A.

b) Who were you able to find to talk to.

_____

c) Were you satisfied with the person you found.

Yes No N.A.

12.a) Did you require someone to advise you on how and where to go to get help on any of the needs that arose from the crime.

Yes No N.A.

b) Who were you able to find to give you advice.

_____

c) Were you satisfied with the advice you received.

Yes No N.A.

13.a) Was there any other kind of help you could have used during the period immediately following the crime.

_____

b) Who were you able to find to help on this problem.

_____

c) Were you satisfied with the help you received.

Yes No N.A.

d) Ask 13a again if you received a response.

_____

e) Who were you able to find to help on this problem.

_____

f) Were you satisfied with the help you received.

Yes No N.A.

14.a) Did you suffer any financial loss as a result of the crime.

Yes No N.A.

b) What would you estimate to be the size of that financial loss.

_____

15. Did you receive any injuries as a result of the crime.

Yes No N.A.

If "no", go to Q. 21.

16. Did anyone inform you of the Criminal Injuries Compensation Board.

Yes No N.A.

If "no", go to Q. 21.

17. Do you remember who informed you of the Compensation Board.

1. Police
2. Crown
3. Other (please specify) _____

18. Did you apply for compensation.

Yes No N.A.

If "no", go to Q. 20.

19.a) Did you receive compensation.

Yes No N.A.

b) Were you satisfied with the amount of compensation you received.

Yes No N.A.

Go to Q. 21.

20. May I ask why you didn't apply for compensation.

1. Didn't think I would qualify_____
2. Didn't want to take the time _____
3. Other (please specify)_____
4. Don't know_____

21. Did the police officer you talked to immediately after the incident leave his/her card with you.

Yes No D.K. N.A.

If "no" or "d.k.", go to Q. 23.

22. Do you know if the officer wrote the incident number on the card.

Yes No D.K. N.A.

Now I would like you to think about the weeks and months after the crime.

23. Did you want information on how the investigation was progressing.

Yes No N.A.

24. Did you receive information on how the investigation was progressing.

Yes No N.A.

If "no", go to Q. 27.

25. How did you receive this information.

1. Contacted by police
2. Contacted police
3. Contacted by crown
4. Contacted crown
5. Received subpoena
6. Other (please specify)_____

26. Were you satisfied with the information you received.

Yes No D.K.

27. Was your stolen property recovered (if appropriate).

Yes No N.A. D.K.

If 'no", "n.a.", or "d.k.", go to Q. 31.

28. Who notified you that your property was recovered.

1. Police

2. Crown

3. Other (please specify)

29. Has your property been returned to you.

Yes No N.A.

30. Was there any difficulty or delay in returning your property.

Yes No N.A.

If "yes", (please specify) _____

31. Was someone charged with the crime.

Yes No N.A. D.K.

If "no" or "d.k.", go to Q. 33.

32. Who informed you that someone was charged.

1.Police

2. Crown

3. Received a subpoena

4. Other (please specify)_____

33. Have you had any problems or fears as a result of this crime.

_____

_____

_____

If they say no or if they do not mention the following ask: Have you experienced any of the following problems as a result of this crime.

34. Fear of being alone.

Yes No N.A. D.K.

35. Fear of entering your home or rooms in your home.

Yes No N.A. D.K.

36. Fear of going out.

Yes No N.A. D.K.

37. Sleeplessness.

Yes No N.A. D.K.

38. Long term medical problems.

Yes No N.A. D.K.

39. Have you taken any steps to improve your security since the crime.

Yes No N.A. D.K.

40.a) Did you receive any information on what steps to take to improve your security.

Yes No N.A. D.K.

b) Who did you receive the help from.

_____

41. Do you think the police came as quickly as you thought they should have.

Yes No N.A. D.K.

42.a) Overall, do you think the police have done a good job, average job, or poor job in handling this incident.

1. Good
2. Average
3. Poor
4. N.A.
5. D.K.

b) If answer to 42a is "poor", ask:

Why they thought the police did a poor job._____

43.a) Having been through the experience, if the same incident occured tomorrow, would you contact the police.

Yes No N.A. D.K.

b) If answer to 43a is no, ask why they would not contact the police.

_____

_____

Finally, I would like to get some brief background information so that we can better interpret the results of the survey for designing services to victims and witnesses.

1. Male Female

2. In what year were you born_____

3. Are you married or single_____

4. What was the last year of education that you completed before leaving school_____

5. What was your approximate family income last year

1. Under $5,000	6. $30,000 - $39,999
2. $5,000 - $9,999	7. Over $40,000
3. $10,000 - $14,999	8. D.K.
4. $15,000 - $19,999	9. N.A.
5. $20,000 - $29,999	

6. How would you define your ethnic identity_____

Thank you very much for your cooperation.

WITNESS QUESTIONNAIRE

After you witnessed a crime, you were interviewed by the police at the scene of the crime or sometime shortly thereafter.

1. Before making the statement, did you know that you might be required to testify in court?

   a. Yes — Go to Question 2

   b. No — Go to Question 3

2. How did you know that you might be called to testify?

   a. The policeman interviewing me told me.

   b. I just assumed that I would be called to testify since I had been interviewed.

   c. Other (please specify) _____

   Go to Question 4

3. When did you realize that you might have to appear in court?

   a. I was told by the officer during, or immediately after, being interviewed.

   b. Not until the subpoena arrived.

   c. Other (please specify) _____

Having been interviewed by the police, you were then subpoenaed by the Crown to testify as a prosecution witness.

4. What period of time elapsed between your witnessing the crime and the serving of the subpoena?

   a. Less than 1 month.

   b. 1 month.

   c. 2 months.

   d. 3 months.

   e. Other (how long) _____

   f. Cannot remember.

5. What period of time elapsed between your receiving the subpoena and the date of your appearance in court?

   a. Less than 1 week.

   b. 1 - 2 weeks.

   c. 3 - 4 weeks.

   d. 5 - 6 weeks.

   e. Other (how long) _____

   f. Cannot remember.

6. Were you personally served with the subpoena?

   a. Yes Go to Question 8

   b. No

7. Who accepted the subpoena on your behalf?

   a. Spouse (husband or wife)

   b. Child (son or daughter)

   c. Mother/Father (in case of child being subpoenaed)

d. Brother/Sister (in case of child being subpoenaed)

e. Relative (other than above)

f. Other (please specify) _____

Go to Question 13

8. Was the subpoena served by:

a. Corps Commissionaires

b. Other (please specify) _____

Go to Question 10

c. Police

9. Was the police officer the same officer that interviewed you originally?

a. Yes

b. Don't know

c. Can't remember

d. No

10. Did you ask any questions of the individual serving the subpoena?

a. No

b. Not applicable

Go to Question 13

c. Yes

11. What questions did you ask of that individual? (Please check)

    a. How much money will I be paid.

    b. Who do I call to find out why I have been subpoenaed.

    c. Do I have to go.

    d. What if I can't make it.

    e. What is this.

    f. Why do I have to go.

    g. Others(please specify) _____

12. Was this individual able to answer your questions satisfactorily?

    a. Yes

    b. No

13. Upon receiving the subpoena, did you fully understand your legal obligation to appear?

    a. Yes

    b. No Go to Question 15

14. How did you know that you were required by law to appear in court and give testimony?

    a. I was informed by the police, after giving ny initial statement, that I would be required to testify.

    b. The crown prosecutor spoke with me, prior to the delivery of the subpoena, informing me that I would be called to testify.

c. I under stood the subpoena to say that I was legally obliged to appear in court and give testimony.

d. Other (please specify) _____

Go to Question 16

15. How did you find out that you were obligated by law to appear in court and testify.

a. I asked the individual who served the subpoena and it was explained to me satisfactorily.

b. The crown prosecutor called me.

c. I phoned someone in the judicial system who was able to explain what my obligation was.

d. Other (please specify) _____

16. Did you ever contact anyone in the judicial system concerning the subpoena.

a. Yes

b. No Go to Question 21

17. Who did you contact in the judicial system?

a. Police

b. Crown Prosecutor

c. Corps Commossionaire

d. Clerk of the court

e. Other (please specify) _____

18. How difficult was it for you to find and get in contact with that individual?

    a. Very difficult
    b. Difficult
    c. Easy
    d. Very easy

19. What questions did you ask that individual? (Please check)

    a. How much money will I be paid.
    b. Do I have to go.
    c. What if I can't make it.
    d. What is this.
    e. Why do I have to go.
    f. Others (please specify) _____

20. Were you satisfied with the answers to your questions?

    a. Very dissatisfied.
    b. Dissatisfied.
    c. Satisfied.
    d. Very satisfied.

21. How much contact did you have with the police during the interval between receiving the subpoena and the date upon which you were to appear in court?

    a. 1 meeting/call.
    b. 2 meetings/calls.

c. More than 2 meetings/calls.

d. No contact at all.

If "no", go to Question 23.

22. What was the nature of the contact?

a. To review my testimony.

b. To remind me of my need to be in court.

c. To explain what will happen when I appear in court.

d. Other (please specify) _____

23. How much contact did you have with the crown prosecutor during the interval between receiving the subpoena and the date upon which you were to appear in court?

a. 1 meeting/call.

b. 2 meetings/calls.

c. More than 2 meetings/calls.

d. No contact at all.

If "no", go to Question 25.

24. What was the nature of this contact with the crown prosecutor? (Please check)

a. To review my testimony.

b. To remind me of my need to be in court.

c. To explain what will happen when I appear in court.

d. Other (please specify) _____

25. How difficult was it for you to locate the appropriate court?

    a. Very difficult
    b. Difficult
    c. Easy
    d. Very easy

26. Upon arriving at the correct court, was there any contact with a member of the judicial system? (Before the trial or hearing began.)

    a. Yes
    b. No Go to Question 29

27. Who was this contact with?

    a. Police who took statement.
    b. Crown prosecutor.
    c. Clerk of court.
    d. Other (please specify) _____
    e. D.K.

28. What was the nature of this contact? (Please check)

    a. To explain what was about to happen.
    b. To explain where the witness fee could be picked up.
    c. To tell me when I could leave.
    d. Other (please specify)

29. Were you called upon to give testimony?

    a. Yes Go to Question 31

    b. No

30. What reason was given for your not having to give testimony?

    a. The plea had been changed to guilty.

    b. The case had been dismissed due to the nonappearance of other witnesses.

    c. The case had been delayed and had to be re-scheduled.

    d. The case had been dismissed for some other reason (please specify) _____

    e. Other (please specify) _____

31. How long were you required to stay in court?

    a. 1/2 day

    b. 1 day

    c. 1 1/2 days

    d. More than 1 1/2 days

32. Was this longer than the period stated on the subpoena?

    a. Yes

    b. No Go to Question 35

33. When you were notified that you would be required to stay for a longer period of time?

    a. Before the hearing or trial began.

    b. During the course of the trial or hearing.

    c. Other (please specify) _____

34. Did you have any contact with the crown prosecutor after giving your testimony?

    a. Yes

    b. No Go to Question 39

35. What was the nature of this contact?

    a. To explain what had happened.

    b. To direct me to where the witness fee could be collected.

    c. Other (please specify) _____

36. Were you required to come and give testimony again at the trial which was held at some later point in time?

    a. Yes

    b. No Go to Question 38

37. Was it explained to you why you had to give testimony again?

    a. Yes

    b. No

38. Did you collect your witness fee for your court appearance?

a. Yes

b. No

If "no", go to Question 41

39. Who informed you of the procedure for obtaining witness fees?

a. Crown prosecutor

b. Bailiff

c. Another witness

d. Police

e. Other (please specify) _____

40. Did you have any difficulty in obtaining your witness fees?

a. Very difficult

b. Difficult

c. Easy

d. Very easy

41. If you were working at the time, was there any lost salary as a result of going to court?

a. Yes

b. No

c. Not working

How much $_____

42. Would you have found it helpful if you could have talked to someone about court procedures and about what was expected of you in court before your court appearance?

    a. Yes
    b. No
    c. D.K.
    d. N.A.

43. Overall, how satisfied were you with the way the case was handled by the courts?

    a. Very
    b. Fairly
    c. Not very
    d. Not at all
    e. N.A.

44. Is the case now completed?

    a. Yes
    b. No
    c. D.K.
    d. N.A.

45. Was there a conviction?

    a. Yes
    b. No
    c. D.K.
    d. N.A.

46. What was your reaction to the sentence imposed?

a. Too harsh

b. About right

c. Too leniant

d. D.K.

e. N.A.

f. Other (please specify) _____

47. Was the crime to which you were a witness, a crime against:

a. The person eg. assult, rape, robbery

b. Property eg. vandalism, theft, break & enter

c. Other (please specify) _____

48. What, if any, was your relationship to the victim?

a. Victim

b. Family member

c. Friend

d. Neighbor

e. Stranger

49. What, if any, was your relationship to the accused?

a. Family member

b. Friend

c. Neighbor

d. No relationship

50. Given your experience with the judicial system, would you be apprehensive at all in being interviewed by the police about witnessing a crime; knowing that such a statement would possibly result in your being called to testify?

    a. Very unwilling
    b. Unwilling
    c. Willing
    d. Very willing

Finally, I would like to get some brief background information so that we can assess the social composition of our sample.

1. Male Female
2. In what year were you born _____
3. Are you married or single _____
4. What was the last year of education that you completed before leaving school _____
5. What was your approximate family income last year?

    a. Under $5,000
    b. $5,000 - $9,999
    c. $10,000 - 14,999
    d. $15,000 - 19,999
    e. $20,000 - 29,999
    f. $30,000 - $39,999
    g. Over $40,000
    h. D.K.
    i. N.A.

6. How would you define your ethnic identity? _____

Thank you for your cooperation.

INTERVIEWS WITH SOCIAL AND JUSTICE RELATED AGENCIES

Criminal Injuries Compensation Board

The Criminal Injuries Compensation Board (C.I.C.B.) came into existence in July, 1970, in order to financially assist those persons suffering injury arising from either being victimized or from assisting a peace officer. The C.I.C.B. is funded by a federal/provincial cost sharing agreement and financially administered from the provincial Attorney General's Office. The general administration of the C.I.C.B. is done by the Workmen's Compensation Board, which receives ten percent of the dollar value of benefits paid as an administration fee.

Presently, the C.I.C.B. is staffed by one full-time administrator and a secretary. The major responsibilities of the administrator are to process the claims and publicize the existence of the C.I.C.B. In processing a claim, the administrator is responsible for gathering all the relevant information about the victimization. The claim is then handed over to the Workmen's Compensation Board, which treats it in much the same manner as a work-related injury claim.

The procedure for handling claims appears to be straightforward. A claim is made by filling out the appropriate forms, which can be obtained by a request made in person, by phone or

letter. There is no need to make a personal appearance. It was pointed out in the interview that in approximately ninety percent of the cases no personal contact is made between the claimant and the C.I.C.B.

Once made, the C.I.C.B. investigates the claim. This requires getting police and medical reports, and verification of employment and earnings. There are three criteria that must be met in order to qualify:

1. The crime must be reported to the police within a "reasonable" period of time.

2. The financial loss must exceed $150.00. This includes lost wages, cost of replacing clothing or glasses damaged during the commission of the crime, and the costs of medical expenses not covered by the provincial health care system.

3. It must be determined that a crime was committed.

The administrator noted that a conviction against the accused is not necessary for the claim to be paid. He also stated that benefits will be withheld in the case of domestic disputes where the victim of a criminal offence returns to live with the accused. This decision is based on the concern that the accused could have access to the benefits being paid.

Most claims are processed within two months of the date of filing. Any variations in this were attributed to difficulties in obtaining police reports (often due to incorrect information given by the claimant as to when the crime occurred) and the failure of employers to promptly verify the earnings of the victim.

Although no data are systematically collected on the demographic characteristics of claimants, it was stated that most are from the lower levels of the socio-economic scale. Two reasons were given to account for this. Individuals from the lowest SES are more likely to become aware of the C.I.C.B and its purposes than higher SES individuals, in part because these individuals have more contact with other social agencies that have knowledge of the C.I.C.B.'s existence. Also, some social agencies actively encourage eligible victims to apply to the C.I.C.B. in order to get them off their own welfare rolls and thus reduce that agency's financial commitment to the person.

When asked about the volume and nature of claims made to the C.I.C.B., the administrator referred the interviewer to the 1979/80 annual report. Two items that appear in the report that are of direct relevance to this study are disposition of claims and the types of crimes where claims have been awarded. These are given below.

DISPOSITION OF CLAIMS*	79/80
Approved	79
Refused	37
Under consideration	79
Withdrawn	6
Not pursued by applicant	21
Referred to The Workmen's Compensation Board	1
TOTAL CLAIMS	223

APPLICABLE CRIMINAL CODE NO. - APPROVED CLAIMS*	79/80
86 - Dangerous use of firearm	5
144 - Rape	5
145 - Attempted rape	1
218 - Murder	9
219 - Manslaughter	2
222 - Attempted murder	6
228 - Causing bodily harm with intent	2
240 - Dangerous operation of vessel ss.(1) and (4)	0
245 - Common assault: causing bodily harm	42
303 - Robbery	7
TOTAL	79

The total benefits paid to victims in 1979/80 was $421,386.00.

*Source: Report of The Criminal Injuries Compensation Board: 1979/80, page 3.

When asked about the value of a victim/witness assistance program, the response was that such a program could be very beneficial to the C.I.C.B. in an informational capacity. It is the view of the C.I.C.B. that a significantly higher number of claims would be received if a procedure were developed to inform all victims of the existence of the Board. At the present time the police have the major responsibility of communicating this information to victims. Should the police not inform a victim of this service, the victim may not become aware of it, since this is likely to be the victim's only contact with the criminal justice system. The C.I.C.B. would like to see the victim/witness assistance program make victims aware of the availability of compensation and encourage the victims to take advantage of these services.

Rape Crisis Centre

The Rape Crisis Centre is an agency funded by the United Way and staffed by one full-time person and twenty volunteers. During the 1981 calendar year, the Centre dealt with approximately 175 cases of rape, attempted rape, incest and spouse abuse. It should be pointed out that not all of these contacts represent recent assaults. In some cases the incidents took place up to three years before contact with the Centre was made. Of the 175 cases, about one-half contacted the police, either by an anonymous call or a formal report. According to the Centre, only 40 victims made a formal report to the police. The workers make no attempt to pressure a victim to formally report to the police.

The workers at the Centre supply information and provide support to the victims. Most of the information given relates to the legal system. The Centre advises victims on court procedure, subpoenas, preliminary hearings, and tries to have someone accompany the victim throughout the course of the judicial process. In those instances where the victim contacts the Centre prior to the police, a member of the staff will, to the extent allowed by the police, stay with the victim during the formal statement and medical examination phases of the investigation.

The services to victims are available 24 hours a day. The volunteers undergo a forty-hour training period and participate in additional training programs every month. These individuals usually come to the Centre from one of three sources. They are either former victims who have used the services of the Centre, friends of volunteers, or individuals who volunteer as a result of having attended a public presentation made by someone associated with the Centre. Each volunteer has an average of 3 cases.

Regarding working relationships with other agencies in the city, it was stated that the Centre has an extremely good relationship with the Health Sciences Centre and that two doctors at that Centre have agreed to deal with all rape victims who are admitted. The Centre's relationship with the police, though strained in the past, has improved considerably in recent months. It was stated in the interview that the major cause of

this strain was the perception on the part of the police that the Centre was interfering with investigations of rape cases and consequently, workers at the Centre were seen as adversaries.

Other agencies that the Centre has contact with are the Children's Aid Society and Osborne House. When the Centre receives cases of incest and spouse abuse, they refer them to the above organizations.

When the issue of victim needs was raised in the interview, it was stated that the Centre views many of the needs or problems of victims as stemming from the manner in which the enforcement agencies and judicial system treat victims of rape. Examples of the Centre's concerns include:

1. Police Interrogation of the Victim: The staff think that the police place too much emphasis on discrediting the victim's account of the incident.

2. Use of Polygraph Tests: Related to the above concern, it was stated that rape victims are routinely subjected to polygraph tests. The Centre's objection to this practice is that if victims refuse to submit to a polygraph, then they are accused of having something to hide. In addition, if they fail the polygraph, then they can be charged with public mischief.

3. Insufficient Contact with Prosecutor: Another concern expressed was the minimal interaction between the prosecutor and the victim prior to the preliminary hearing and the trial.

On the issue of the development of a liaison between the Centre and a victim/witness assistance program, it was stated that such a program could be helpful in assisting the Centre to explain to victims the various stages of the judicial process, the issuance of subpoenas and escorting victims to court. It was also mentioned that it would be desirable if the victim could observe a rape trial in progress as preparation for her own trial.

A further suggestion, though not directly related to a liaison with a victim/witness program, was that just as two doctors have been designated to handle all rape cases, those police detectives who have been shown to be most supportive in the past could be assigned to handle all rape cases.

Osborne House

Osborne House has been operating for seven years. It was organized to provide services to women, with or without children, who have been assaulted by their spouse or live-in mate. In 1981, the House dealt with five hundred incidents, with the average monthly number of cases ranging from twenty-five to fifty.

Osborne House is staffed by ten full-time personnel, fifteen volunteers, and a number of social work students on practicums during the University of Manitoba school term. The services provided by the organization are available twenty-four hours a day.

Osborne offers three major services: shelter, referral and crisis intervention.

1. Shelter: The primary service offered by Osborne is shelter for women and their children after an assault has taken place. The average length of stay at the House is six days, with a maximum allowable stay of ten days. In extreme cases, due to the inability to locate suitable housing, or court delays, this rule has been relaxed.

2. Referral System: Osborne House also makes use of an extensive referral system which is able to provide lawyers, financial assistance through welfare, access to housing which will accept single parents with children, and specialized family counselling and psychiatric help.

3. Crisis Intervention: The staff also maintain contact with women, for a minimum of three months, who have come to them for assistance in dealing with additional and recurrent problems.

The funding for Osborne House comes from a variety of sources. The city welfare office pays a per diem for those

victims with no means of support. Those victims who are not financially indigent make per diem payments to Osborne House. Additional funding is provided by United Way, Winnipeg Foundation, and fees received from speaking engagements. At present, the House is running at sixty percent occupancy, with thirty persons the maximum number it can shelter per day. There have been times when individuals have been turned away due to lack of space, but a more pressing problem is that approximately fifteen to twenty-five persons a month are refused lodging because they are not considered to be battered wives under the Osborne House Charter. An attempt is made to refer these individuals to agencies that can provide assistance.

It was stated in the interview that Osborne House has an excellent working relationship with other social service agencies in the city. It was noted that a large proportion of their clients are referred by other agencies, with the police, hospitals, and the Rape Crisis Centre cited as the major source of referrals.

It was the assessment of Osborne House that it has an excellent working relationship with the police which is maintained by a direct liaison with a member of the police department. The police not only make referrals to Osborne House but have developed a reputation for responding immediately to any crisis that is brought to their attention by Osborne.

Although workers at Osborne House have little contact with the Crown's office, they do occasionally call the clerk of the court to obtain information on why the court had not been able to act on a certain request made by a victim. It was also mentioned in the interview that Osborne House had access to a judge who, "will convene court at any time or place". It would seem that this agency has an excellent relationship with the legal and judicial establishment.

When asked about the development of a link between a victim/witness assistance program and Osborne House, the response was quite favourable. As mentioned by other agencies, the representative of Osborne House stated that such a program could be of great assistance in educating battered wives about the criminal justice system and assisting them through the judicial process.

Manitoba Police Commission

The Manitoba Police Commission is a provincially funded organization that has been in existence since 1971. The services provided by the staff of the Commission are in the areas of crime prevention, supervision of police training and police procedural matters, and enhancement of police-community relations. The Commission is made up of six members and maintains a staff of five employees.

The type of service the Commission provides to victims is quite narrowly defined and is limited to dealing with cases

related to complaints of improper police behaviour. The procedure followed by the Commission after a written complaint has been received is to forward the complaint to the governing body of the police organization against which the complaint is being made. This governing body determines whether or not the complaint is justified. The Commission takes further action if:

1. The governing body has taken no action on the complaint. In this instance the Commission can order the governing body to look into the matter.
2. The complainant appeals the decision of the governing body. If the appeal is made to the Commission within thirty days of the decision, then the Commission will meet and make a final decision on the case.

It was stated by a representative of the Commission that most complaints come from individuals who think they were treated inappropriately during apprehension or confinement. It was said to be unusual to receive complaints from victims who were dissatisfied with the manner in which the police handled their case.

Although the Commission member saw the development of a victim/witness assistance program as desirable, there was understandably little need expressed on the value of a liaison with such a program.

Main Street Project

The Main Street Project has been in existence for ten years. It is jointly funded by the Manitoba government, the City of Winnipeg and United Way. The Project is staffed by sixteen full-time staff and periodically, a social work student on practicum. The Project provides the following services related to victim assistance:

1. Patrol the Main Street area and assist and intervene when they encounter victims in need of help.
2. Provide transportation to and from the hospital.
3. Provide shelter for the night to victims and direct victims to welfare offices the following day if they have no means of support.
4. Encourage victims to lay charges.
5. Explain the judicial process, escort victims to court, and remind individuals of the need to appear in court on the required day.

The above services are available twenty-four hours a day, with most of the contacts made between 10:00 p.m. and 6:00 a.m. The majority of victims that the Project comes into contact with are Natives. An example of the extent of contact the Project has with victims can be seen from the incidents of violence handled with by the staff in the months of November and December of 1980.

TYPES OF ALTERCATIONS*	November	December
Fight one on one (or attack by one)	6	11
Assault by two individuals	5	5
Assault by gang	6	6
Fight between husband and wife	5	2
Attack on Project staff	7	6
Undetermined	6	12
Violence on self	2	1
TOTAL	37	43

* Source: Main Street Project Violence Report: December, 1980.

It was stated in the interview that, given the comprehensiveness of services provided by the Project, a victim/witness assistance program is not something the staff would utilize, with the possible exception of explaining the judicial process to victims and accompanying victims to court. The Project staff think that there are victim needs which are not being met and put most of the blame on the judicial system. The staff apparently perceive the court system as simply trying to dispose of cases as quickly as possible, without taking into account how the disposition of cases may further traumatize the victims.

Child Development Clinic

The Child Development Clinic is located within the Health Science Centre. In the first seven months of 1981 the Clinic dealt with approximately seventy cases of child abuse which

included sexual abuse, gross neglect, and physical abuse. In August of 1981 the position of Child Abuse Coordinator was created. It is the responsibility of the Coordinator to look for signs of abuse in children admitted to the hospital and examine medical reports for possible evidence of child abuse. Primarily as a result of the activities of the Coordinator, the number of child abuse cases dealt with in the last five months of 1981 was 125, almost twice the number seen up to August of that year.

The Clinic has also adopted a policy to routinely admit all children brought into emergency who show signs of abuse. As the hospital does not have the legal powers of the Children's Aid Society, this admission policy was created to protect the child and to give the hospital time to notify the C.A.S. and make a decision as to what should be done with the child.

The major services provided by the Clinic that are relevant to the issue of victim assistance are:

1. Identification of child abuse.
2. Treatment of any physical problems.
3. Investigation of causes of abuse.
4. Recommendation of a course of action to be taken.

The latter two services are performed by a special team consisting of a physician, a hospital social worker, and a C.A.S. social worker. It is the responsibility of this team to assess

the situation and recommend what should be done with the child. After this initial assessment and recommendation, the C.A.S. becomes responsible for any further supervision and action.

In addition to dealing with child abuse cases that are encountered at the Health Science Centre, the Clinic receives referrals from the health and welfare community, social agencies, and lawyers. When a referral is made to the Clinic, the special team follows the same process as outlined above.

With the exception of the Children's Aid Society, the Clinic does not make referrals to other social agencies. It was reported that the Clinic has a very good working relationship with both the special unit of the police department that deals with child abuse and the two Crown Attorneys that handle all child abuse cases.

When asked about the potential role of a victim/witness assistance program in this area, the Clinic representative who was interviewed stated that one of the concerns of the Clinic was that the C.A.S. has the power to unilaterally make decisions on how to proceed with a case of child abuse. The Clinic is not informed of the action taken and may not know what action was taken until the Clinic staff see the victim again. As a result of this concern, it was stated that a victim/witness assistance program could perhaps make two important contributions.

1. The program could set up a procedure to monitor the actions taken to assist victims and report on the progress of victims to both Clinic and the C.A.S.

2. The program could take on the role of advocate for the child. The example was given of the system created in British Columbia where the parents have a lawyer, the Society has a lawyer, and the child has a lawyer. The child advocate's role is to evaluate the course of action being proposed by both the parents and the C.A.S., and make a decision which is in the best interests of the victim. Such a system is seen as acting as a check on the C.A.S. and attempting to ensure that the interests of the victim are being met.

Children's Aid Society

The C.A.S. is a private organization funded by the province and United Way. It receives its authority from the Child Welfare Act and has as its mandate the protection and welfare of children who suffer from abuse or neglect.

The services provided by C.A.S. to victims are:

1. Removal of the child from the home environment, if such action is warranted, to protect the victim.

2. Treatment facilities which deal with the trauma suffered by the victim as a result of the abuse or neglect.

3. Family counselling services that attempt to improve the home environment in order that the victim may safely return to the family.

Virtually all of the cases dealt with by C.A.S. are the result of referrals. Approximately seventy percent of the referrals come from the schools, five percent from the police and the remaining twenty-five percent from hospitals, neighbours, or someone within the victim's family.

The unit of the C.A.S. which deals with child abuse is staffed by seven full-time employees. Each staff member maintains a case load of approximately twenty children.

The C.A.S. conducts most of its operations during normal business hours but does have services available twenty-four hours a day. One staff member on weekdays and two on weekends are responsible for incidents that arise after business hours. It was reported that the police play an important role when only a skeletal staff is on duty. In the event that there are a number of cases to be dealt with simultaneously, the police will protect the victim as well as determine the relative urgency of the different cases. This allows the C.A.S. worker to deal with those cases that are most urgent before going on to those cases where the need is less acute. It was stated that the C.A.S. has an extremely good relationship with the police and Crown Attorneys.

When asked about the development of a liaison with a victim/witness assistance program, it was stated that this program could be most valuable in helping to prepare children for their experiences in court. Specifically, the program could be used to relieve some of the fears and trauma suffered by children in making a court appearance. Another suggestion was that some central phone number could be made available twenty-four hours a day that would help victims contact the appropriate agency that could best deal with their problems.

Mediation Services

This agency has been operating for three years and is entirely funded by the Mennonite Central Committee of Manitoba. The staff consists of one full-time employee, a social work student on practicum, and volunteers. The purpose of the organization is to facilitate the resolution of conflict between the victim and offender by aiding the participants to find a mutually agreeable solution to their problems.

The agency receives most of its referrals from judges, defence lawyers, prosecutors and probation officers. The court referrals to Mediation Services require an admission of guilt on the part of the accused. Assuming that an agreement is reached between the victim and the accused, this agreement is taken before the court and may be incorporated into the sentence imposed by the judge. Since the inception of Mediation Services, only forty to fifty referrals have been made by court personnel

for the above services. The reason given for this low rate of referral is the absence of any established procedures for channeling specific cases to Mediation Services. At present, attempts are being made by the agency to investigate how more mediation cases could be set up to maximize the probability of these cases being referred to Mediation Services.

The value of a victim/witness assistance program to this agency was seen in the context of making victims and witnesses aware of Mediation Services, particularly victims who express the desire to reconcile with the offender.